IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1468 OF 2006

Rajgopal Hiralal Zanwar ..Petitioners.

Vs.

Jawahar Hiralal Mehta & Ors. ..Respondents.

...

Mr. P.J. Das for the Petitioners.

CORAM : DR.D.Y.CHANDRACHUD, J.

12th April, 2006.

P.C.:

The Learned Trial Judge has noted that the issues have been framed, the trial has commenced and the matter is posted for hearing. In these circumstances, at the present stage, the interference of the Court with an order declining to allow the amendment is not warranted. The Petition is dismissed.

However, it is clarified that it would be open to the Petitioners to challenge the final decree of the Trial Court on all grounds, should it become necessary for the Petitioners to do so.